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Editorial

This is the first issue of the new journal *International Environmental Agreements – Politics, Law and Economics*. The challenge for editors and authors alike is to present provocative, scientifically sound and analytically rigorous research results that help society to achieve, in an age of globalisation, the triple objectives of economic development, social equity and the sustainable use of environmental resources. This journal aims to attract state of the art articles from a wide range of disciplines and perspectives on environmental problem solving through the use of international environmental agreements, whether formal or informal, private or public.

Globalisation and Polarisation

The twenty-first century has indeed begun with an accelerated trend towards globalisation. Increased media coverage, expansion of world trade and investment, integrated financial markets, the world-wide web and changing patterns and intensities of labour migration contribute to a growing complexity and interdependency at the global scale. At the same time there is increased polarisation with capital flight, selective labour migration, and monopoly positions held by large multinationals.

Environmental Impacts

The growth and impacts of these global trends is higher than many of the existing state oriented institutions can cope with. There is fear of growing environmental damage at the global, regional and/or local levels. The use of fossil fuel energy and ozone depleting substances have global effects. The use of water, fertilisers and pesticides have predominantly regional effects with global spill-overs. Exploitation of natural systems and loss of biodiversity have implications at the local, regional and global scales. Globalization increases global wealth, but is accompanied by shifts in the concentration of social and environmental wealth at national and international levels.

Political and Scientific Complexities

It is widely accepted that when global and/or regional environmental resources are at stake international co-operation and agreement is necessary. But, there is less consensus on the need for international agreement to deal with so-called local

environmental problems, especially where production and consumption of the resource is geographically apart or when the driving forces for the use of the resource is operating at the global level. While it is widely accepted that there is need for coherent and consistent rules for dealing with environmental problems, there is conflict regarding who has ownership of resources and sinks, who is the polluter and how does the polluter compensate affected populations, what incentives are there for the polluter to change or modify his or her own behaviour, and who decides on objective rules for differentiating between different types of polluters?

The emerging international order is strongly grounded in free-market thinking at global level within a rule-making structure based on a nation-state approach. However, nation-states are losing their ability to pursue social, environmental, and human rights policies even within their borders due to local and regional concerns about competitiveness. The WTO construes certain domestic policies as 'trade barriers'. International corporations are becoming economically more powerful than dozens of nations. At the same time, civil society is becoming a major counterforce in global environmental politics. The globalization of information creates new and sometimes unexpected countervailing powers affecting the policies of governments and international corporations with regard to the use of environmental resources and liability for damage to people and ecosystems.

Sustainable Development: Magic Formula or Elusive Concept

In the search for a magic concept that can facilitate global resource management, emancipate environmental issues and integrate environmental concerns into the development paradigm, politicians, researchers, environmentalists and industrialists have embraced the term 'sustainable development'. While this concept implies that environmental and economic priorities can be aligned, it often hides the unresolved conflicts between long- and short-term economic benefits and between winners and losers when it comes to the distribution of costs and benefits. These issues play a major role in the regions of the world presently pursuing economic integration such as North America and its NAFTA agreement, South America with its range of agreements and initiatives, South-East Asia with its regional integration policies and enlargement of the European Union. And all of this can be seen as small play compared with the overarching dilemma of free trade and economic co-operation between the rich countries of the OECD and the poor countries of Asia, Africa and Central America.

Sustainable development in the developed world appears to be an elusive concept. While sustainable development in the OECD calls for systemic change in production and consumption patterns, for countries with economies in transition, sustainable development calls for systemic change in political structures, and it is hoped that the revitalisation of the economic sectors will be accompanied by a transformation process in production. For middle income developing countries it means a combination of transformations ranging from the adoption of leap-frog technologies,

appropriate technologies and alternative technologies within the context of reformed governance patterns. For the poorest countries industrial transformation must probably occur within the context of poverty abatement, peace politics and better models of governance.

In the global context, the Brundtland Commission defined sustainable development as 'development that meets the *needs* of the present without compromising the ability of future generations to meet their own *needs*' (World Commission on Environment and Development, *Our Common Future*, Oxford University Press, 1987, emphasis added). This implies that economic growth is a *means* of promoting human development, not a *goal* or *measure* of development. Since both poverty and prosperity contribute to environmental degradation, there is no way to achieve sustainability without addressing questions of equity and distributional fairness. These social, human rights, and environmental components of Brundtland's approach are not well institutionalised in international society and remain a major challenge.

Approaches to Operationalising Solutions to the Problem

International environmental agreements can provide a framework for the management of environmental resource use. Present day practice illustrates that such frameworks can be successes as well as failures. They can generate opportunities for some and constraints for others. Against the context of the complexity of sustainable development as a scientific concept and as a political goal, this journal encourages authors from different schools of thought and vision to contribute to global knowledge.

Linear thinkers may argue that globalisation trends are far ahead of a parallel development in international institutional management. Institution building should be accelerated in order to deal with environmental problems. Non-linear thinkers may argue that there are problem streams, solution streams and streams of political happenings. When these three streams meet a problem is solved. However, this is not as simple as it sounds. This may mean that the problem is defined in terms of the available solutions, or that solutions are borrowed from other areas and tailored to meet an existing problem definition, if the political timing is right. Proponents of the regulatory competition theory may argue that each country tries to upload a domestic solution onto the international arena, because implementing these policies are then cheapest for it. But for those who have to accept the solution, it is very expensive to implement. Economists may argue that the provisioning of public goods such as environmental quality requires public policies to provide appropriate incentives to individual actors. We also see examples of voluntary labelling and schemes for emission trading, in response to external pressure, the need to seek niche markets and to pre-empt policies at international level when the subject is on the negotiation agenda. At the same time for solutions to work at the international level, it is vital that they are legitimate and have a high compliance pull. There

are thus different approaches to understanding how problems should be addressed within different academic disciplines. This inevitably calls for the identification of multidisciplinary and multi-actor approaches that examine the range of economic, political and legal incentives that influence human activities in order to deal with environmental problems.

Purpose of this Journal

The purpose thus of this journal is to open up the debate and to stimulate people of different visions, academic backgrounds and political affiliations to contribute to the academic discussion in this field. This journal explores the potential for developing such approaches as well as the potential for developing institutions to deal with problems or for redefining problems to fit existing ideas for solutions. While there are plenty of journals that deal with global environmental issues or with environmental law, there are no journals that focus explicitly on the use of international treaties and agreements as a means of addressing environmental problems based on a multidisciplinary analysis of the problem. This perception was reinforced by the pre-launch market survey of this journal. The bottom line is that the articles to be published need to be not only sound and competitive in their own disciplinary fields but also to build on some interdisciplinary concepts trying to bridge the boundaries of disciplines. The three editors represent the disciplines of environmental sciences, economics, politics and law and jointly they have ample experience in national and international policy making. In addition, the Board of Advisors has been selected with care to represent a range of environmental issues and many disciplines.

The First Issue

In our very first issue we try to launch this debate. While Oran Young argues that there are two schools of thought – the social practice models and the rational actor models that try to examine global environmental policies, Daniel Bromley argues that Young's neat classification is too simple to explain global reality. Bromley argues that the two schools of thought encompass scholars imprisoned by deductive thought! Peter Sand's attempt to provide an overview of legal instruments that have been used to address environmental issues, is seen as a comprehensive back-packer's guide to resource conservation regimes in the 20th century by Patricia Birnie. While Ellen Hey argues that the climate change agreements show that the international community is gradually moving towards new systemic rules which are akin to national systems of public and administrative law, Bill Moomaw agrees that the complexity of the climate change regime indeed calls for ingenious new instruments to deal with these issues. Konrad von Moltke and Howard Mann argue that developments within the NAFTA and trade regimes tend to threaten the domestic ability to implement environmental protection measures and they get considerable support

in their analysis from Jake Werksman. While Timothy Swanson tries to develop an objective framework for identifying criteria for differentiating between legitimate and less legitimate excuses for countries to pollute, Harmen Verbruggen questions not so much the quest to find objective criteria, but the criteria that Swanson puts forward. These articles aim to set the tone for the journal and we look forward to a fruitful debate with academics and policymakers on problem-solving.

Pier Vellinga, Joyeeta Gupta and Richard B. Howarth
Editors